

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal Case No. 19-20651-1
Honorable Linda V. Parker

WILLIE ALDRIDGE,

Defendant.

**OPINION AND ORDER GRANTING DEFENDANT'S MOTION TO
DELAY SELF-SURRENDER**

On November 13, 2019, Defendant pleaded guilty pursuant to a Rule 11 Plea Agreement to one count of theft of government funds in violation of 18 U.S.C. § 641. (ECF No. 9.) This Court sentenced Defendant to a term of imprisonment of five months on March 3, 2020. (ECF No. 13.) Then the world was confronted with the novel coronavirus (COVID-19), which created an unprecedented health emergency and societal disruption globally. Individuals over the age of 65 and individuals with certain medical conditions, such as Defendant, face a heightened risk of serious illness or even death if infected with the virus. *See* <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html>.

For that reason, the parties entered into several stipulations to delay the date for Defendant to self-surrender to the Bureau of Prisons, specifically to FMC Carswell, a federal medical facility in Fort Worth, Texas. (*See* ECF Nos. 14, 20, 21, 22, 28, 32.) Pursuant to the most recent stipulated order, entered February 25, 2021, Defendant's self-surrender date was delayed to at least May 4, 2021. (ECF No. 32.) The Government has been unwilling to extend that upcoming date and, therefore, Defendant filed a Motion to Delay Self-Surrender on April 25, 2021. (ECF No. 33.) The Government responded to the motion on April 29, 2021. (ECF No. 36.)

Defendant is 77 years old. She suffers from numerous health conditions, including dysphagia, acute kidney injury, type II diabetes with neuropathy, essential hypertension, hyperlipidemia, asthma, peptic ulcer disease, deep vein thrombosis, temporal arteritis, and osteoarthritis. (PSR ¶¶ 47-51; ECF No. 25.) It is firmly established that an individual Defendant's age *or* suffering from many of her medical conditions (asthma, type II diabetes, or hypertension) faces a heightened risk of severe illness and even death if infected with COVID-19. The Government contends that because the BOP has engaged in aggressive efforts to combat the spread of the virus in its facilities and because Defendant has been fully vaccinated, her self-surrender date should no longer be delayed. The Court is not convinced.

The CDC continues to recognize that individuals living in congregate settings, such as prisons, face a heightened risk of being exposed to COVID-19. See <https://www.cdc.gov/coronavirus/2019-ncov/community/shared-congregate-house/guidance-shared-congregate-housing.html>. As the Government recognizes, the vaccine is not 100% effective in preventing COVID-19 infection and, depending on which vaccine Defendant received, may be only 66% effective. (See ECF No. 36 at Pg ID 691-92 (citations omitted).) The extent to which the vaccines are effective against variants of the virus is still very uncertain.

In short, there remains a risk to Defendant that her 5-month sentence could become a death sentence. This Court is not willing to take that risk.

Accordingly,

IT IS ORDERED that Defendant's Motion to Delay Self-Surrender (ECF No. 33) is **GRANTED**;

IT IS FURTHER ORDERED that Defendant's May 4, 2021 date for voluntary self-surrender to FMC Carswell, J. St. Bldg. 3000, Fort Worth, TX 76127, is delayed to a date on or after July 5, 2021, as determined by the United States Marshal or the Bureau of Prisons.

IT IS SO ORDERED.

s/ Linda V. Parker

LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: May 1, 2021